

APPROVED 3-6-03



**SCOTTSDALE DEVELOPMENT REVIEW BOARD
KIVA - CITY HALL
3939 N. DRINKWATER BOULEVARD
FEBRUARY 20, 2003
MINUTES**

PRESENT: Wayne Ecton, Councilman
Raymond Potter, Vice Chairman
E.L. Cortez, Design Member
Anne Gale, Design Member
Michael Schmitt, Design Member
Mark Soden, Design Member

ABSENT: Charles Lotzar, Planning Commission Member

STAFF: Tim Conner
Tim Curtis
Don Hadder
Jayna Shewak
Kira Wauwie
Al Ward

CALL TO ORDER

The regular meeting of the Scottsdale Development Review Board was called to order by Councilman Ecton at 1:00 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

OPENING STATEMENT

COUNCILMAN ECTON read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting.

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MINUTES APPROVAL

February 6, 2003 Development Review Board Minutes

VICE CHAIRMAN POTTER MADE A MOTION TO APPROVE THE FEBRUARY 6, 2003 MINUTES AS PRESENTED. SECOND BY MR. CORTEZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

COUNCILMAN ECTON stated cases 20-PP-2003 and 7-DR-2003 would be moved from the consent to the regular agenda.

CONSENT AGENDA

2-PP-2003 DC Ranch Parcel 1.18
 Preliminary Plat
 Planning Unit 1 at DC Ranch
 N/A Architect/Designer

(PULLED TO REGULAR AGENDA)

7-DR-2003 Scenic Corridor Design Guidelines
 Citywide

(PULLED TO REGULAR AGENDA)

8-DR-2003 Marshall's Service Center
 Site plan & elevations
 8128 E. Indian School Road
 Ed Nickerson Architect

9-DR-2003 McDowell Mountain Business Center
 Site plan & elevations
 SEC of 90th Street & Bahia Dr.
 Archicon Architects & Interiors, Architect

MR. WARD stated there are additional stipulations for case 9-DR-2003 that have been crafted and agreed to by the applicant:

- The Applicant shall move building lots one and four southward a minimum of two feet to provide additional building base planting to the satisfaction of city staff.
- The proposed six-foot sidewalks on lots 2, 3, 5, and 6 shall be reduced to a maximum width of five feet along the north and south sides of the building to

provide additional landscape base planting for the building to the satisfaction of city staff.

- The Applicant should provide modification to the steel canopy and building colors to provide a warmer and more varied color scheme to the satisfaction of city staff.

Mr. Ward noted the colors would be modified to accommodate the type of recommendations that were suggested at study session.

VICE CHAIRMAN POTTER MOVED TO APPROVE CASE 8-DR-2003 WITH THE AMENDED STIPULATIONS AND CASE 9-DR-2003 WITH THE AMENDED STIPULATIONS INCLUDING THE STIPULATIONS AS TO VEGETATION CHANGES IN KEY AREAS AND THE COLOR CHANGES TO A WARMER COLOR PALETTE. SECOND BY MR. CORTEZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

REGULAR AGENDA

2-PP-2003	DC Ranch Parcel 1.18 Preliminary Plat Planning Unit 1 at DC Ranch N/A Architect/Designer
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MR. CURTIS presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

KARRIN TAYLOR, Biskind Hunt & Taylor, 11201 N. Tatum, Phoenix, AZ, representing the applicant DC Ranch. She reviewed the circulation plan. She stated there are stipulations that require they provide connectivity to the east of the site both at the northeast corner and the southeast corner of the site in addition to stipulations that requires additional connection from the southwest corner of the site to the loop row. She further stated the way the subdivisions are being platted they will likely be developed as gated communities so they wanted to make sure they could function as individual gated communities but provide that internal connection to a path system that will run north south between these four parcels. She presented the circulation and open space map from the EDMP that was approved.

MR. SODEN inquired if the connectivity she is referring to is non-vehicular. Ms. Taylor replied in the affirmative. Mr. Soden asked a series of questions regarding the connectivity and traffic impacts on this site. Ms. Taylor presented additional information regarding the circulation and traffic impacts on this site.

She reported this subdivision planning is very similar to what was done in the first planning unit and was very successful so they are continuing it to this phase

Mr. Soden stated he would suggest they stipulate that the fencing at the cul-de-sac be four feet high or less. Ms. Taylor stated they would be willing to stipulate that the walls would be between three to four feet high. She further stated it is intended to be a low wall similar in character to the thematic walls throughout DC Ranch. She noted the wall is intended to be a landscape wall as opposed to keeping people out of the community.

Mr. Soden inquired if the park in tract F would be used for storm water retention. Ms. Taylor replied in the negative.

Mr. Soden stated on the conceptual landscape and wall plan all of the streets are shown with street trees. He inquired if the developer or the homeowners would install the street trees. Ms. Taylor replied they would be installed by the homebuilder. She stated the intention is that a tree palette would be selected for each subdivision and then the homebuilder would be required to install that tree throughout the subdivision. Mr. Soden requested they stipulate the trees throughout the entire parcel are one type of tree species only.

MR. SCHMITT stated on the Landscape Wall Plan legend there is a symbol for six-foot sidewalks by others and native granular trail by others. He further stated he would like to understand who “others” are. He inquired if the developer does not put those in who would install the trails. Ms. Taylor replied the master developer DC Ranch would install them.

VICE CHAIRMAN POTTER stated the preliminary plat plan shows a variety of washes and the wash to the west runs directly through lots 60-65 and then through 109 he inquired how they would treat those lots. Ms. Taylor stated they are significant 404 washes that are included in their existing 404 permit so the pad and fill treatment for the pads are included in the permit. Vice Chairman Potter inquired if they would be channeled underground. The engineer on this project stated the 404 permits, which they show under the building pads, have been permitted under the 404 permit for all of DC Ranch to be filled in completely. They will not exist in any condition until they leave the site. They are required to supply them with water to keep them alive off site.

COUNCILMAN ECTON stated this subdivision is directly in the path of aircraft leaving Scottsdale Airport. He inquired about the steps or measures that they are going to take to ensure that two to three years from now they don't have a whole subdivision complaining they did not know there was going to be an airplane flying over their homes. Ms. Taylor stated they have ongoing dialogue with the airport and they have worked with them and the City Attorney's Office to draft a supplemental declaration that will be recorded against the property that

includes airport notification and extensive indemnification of the developer as well as the City of Scottsdale related to aircraft noise and any other peril associated with the airport. In addition to that, in the disclosure statement to the Department of Real Estate they have included an Airport Notification. She reported in Planning Unit 1 the builders would be required to use energy efficient materials as part of the Green Building Program all to help with the sound issue.

Councilman Ecton inquired what happens when the original homeowner sales the house and they have a new homeowner that maybe does not have access to all of that information. Ms. Taylor stated that is the benefit of recording the supplemental declaration and airport notification form in the title of that document so that it appears in the title report and is not buried in the fine print.

MR. SODEN MOVED TO APPROVE CASE 2-PP-2003 WITH THE FOLLOWING ADDED STIPULATIONS:

- **THE FENCING AT THE CUL-DE-SACS IS FOUR FEET HIGH OR LESS.**
- **THE STREET TREES THROUGHOUT THE ENTIRE PARCEL ARE CONSISTENT AND ARE ONE TYPE OF TREE SPECIES ONLY.**

SECOND BY MR. CORTEZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

7-DR-2003

Scenic Corridor Design Guidelines
Citywide

MS. SHEWAK presented this case as per the project coordination packet. She stated the DR Board approvals on the guideline policy document are never ending. The approvals will last until staff brings forward amendments that they think are large enough for their review. There will be an opportunity after the Board approves the text to make minor modifications to sustain the life of this document. The traditional one-year approval does not affect this guideline document. Staff recommends approval.

MR. CONNER provided a brief overview of the process that has occurred to date. He discussed the Sensitive Design Guidelines. He stated Scenic Corridors are major thoroughfares designated by the City's General Plan to have scenic desert landscape setbacks that provide a sense of openness for the community. He discussed why the City designates Scenic Corridors and how they are designated. He reviewed the two formats of the Scenic Corridor Design Guidelines.

VICE CHAIRMAN POTTER stated the City of Phoenix controls the west side of Scottsdale Road and the City of Scottsdale controls the east side of the road. He inquired what measures have been taken to meet with the City of Phoenix regarding Scottsdale Road to enhance an agreement between the two municipalities. Mr. Conner provided a brief overview of the discussions that has occurred with the City of Phoenix regarding this issue. He reported the City of Phoenix is very interested and supportive of what they have completed and are interested in what components they can work together with them on to bring into their design guidelines. They have voiced a desire that they would like to do as good a job as Scottsdale does so there are opportunities for discussion and negotiation. Vice Chairman Potter stated what he is inferring from that is staff has made itself aware of what is planned for the west side of Scottsdale Road particularly along Paradise Ridge master plan area so that we have something that is complimentary to a major master commercial planned area and is not designated in some rural fashion that would be out of character with what would likely happen there. Mr. Conner replied in the affirmative and that is the reasoning behind the two characters of the scenic corridor and different types. They are acknowledging that area is going to be much more intense and highly commercial.

COUNCILMAN ECTON stated he has always wondered why these guidelines could not be regulations but that was explained and he understands it. As an add-on question he inquired if there should be certain items in the guidelines that required Council approval such as right-of-ways and setbacks. He inquired if there should be a provision to deal with that in an additional manner. Mr. Conner replied there could be a case where they could install a zoning overlay to a case-by-case basis the Council could dictate what that scenic setback could be. He stated he does not think this guideline would remove that opportunity. The cautionary note comes into play when they apply a blanket overlay a district because they have to consider the size of the parcels and the impacts that overlay might create that is where the flexibility of the Design Guidelines seems appropriate. Mr. Hadder presented information on the actions where City Council and public would get involved in this process. Any zoning action would go through the public hearing process. A good portion of the scenic corridor stipulations has been applied through the zoning action so there is a very visible public process.

Councilman Ecton stated after a development goes in and they have met all of the guidelines is there enforcement or maintenance that would occur over the years to ensure the development has not infringed on any of the initial plans. Mr. Conner stated that would be a code enforcement issue and they are dedicating an easement of scenic setback to the City of Scottsdale through this process. The maintenance would remain the burden of the property owner. What they have seen happen in the past is volunteer groups coming out and maintaining those areas. Councilman Ecton inquired what would happen if the development

is trashed and someone calls the City complaining about the terrible condition, what leverage do they have to convince the homeowner to clean it up. Mr. Hadder stated there is a process through code enforcement where they can site the homeowners using the powers of the zoning ordinance. In an extreme measure, they could go to the extent of cleaning it up themselves and placing a lien on the property for the cost of the cleanup.

Councilman Ecton inquired if the scenic corridors are limited to the ones they have selected over a period of time. He stated the reason he is asking that question is because they are putting in new roads it would seem like a perfect opportunity to designate some of them as scenic corridors. He further stated it would seem where they are extending Hayden Road from the 101 northward might be considered as a scenic corridor. Mr. Hadder stated as part of the Crossroads projects they did add a stipulation to require a buffered road setback similar to what they have on Thompson Peak Parkway. They have not gone to the extent of designating it a scenic setback but they have required larger setbacks.

Councilman Ecton requested staff to come forward with a report of streets or corridors that might be candidates.

Councilman Ecton stated there has been a lot of effort put into the preparation of this document and it is a job well done. He further stated he was impressed with the detail and thoroughness.

MR. SODEN inquired if staff could highlight in the DRB report if a project is adjacent to a scenic corridor. Ms. Shewak replied they could highlight that information in the future.

MR. CORTEZ MOVED TO APPROVE CASE 7-DR-2003. SECOND BY MR. SCHMITT.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

COMMUNICATIONS

Elect Vice Chairman for 2003

VICE CHAIRMAN POTTER NOMINATED MR. CORTEZ FOR THE POSITION OF VICE CHAIRMAN OF THE DEVELOPMENT REVIEW BOARD. SECOND BY MR. SODEN.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

MS. GALE thanked Mr. Potter on behalf of the Board for being an excellent Vice Chair for the past two years.

COUNCILMAN ECTON thanked the entire Board for their time and effort serving on the Board.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Development Review Board was adjourned at 2:03 p.m.

Respectfully Submitted

"For the Record" Court Reporters